

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of GERALD DUJUAN DUNCAN  
and PARADISE CALVONIA ANN DUNCAN,  
Minors.

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DEPARTMENT OF HUMAN SERVICES, f/k/a  
FAMILY INDEPENDENCE AGENCY,

UNPUBLISHED  
March 21, 2006

Petitioner-Appellee,

v

SHAWANA BELITA MURPHY,

No. 265330  
Wayne Circuit Court  
Family Division  
LC No. 99-379312-NA

Respondent-Appellant,

and

JOHN ERIC DUNCAN,

Respondent.

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Before: Neff, P.J., and Saad and Bandstra, JJ.

**MEMORANDUM.**

Respondent-appellant appeals as of right from the trial court order terminating her parental rights to the minor children pursuant to MCL 712A.19b(3)(g), (i), and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Ample evidence existed on the record to support the trial court's decision to terminate respondent-appellant's parental rights pursuant to MCL 712A.19b(3)(g). Respondent-appellant's extensive history with Children's Protective Services included five prior terminations of parental rights due to neglect. In addition, respondent-appellant had an extensive criminal history that included a felony conviction and sentence for which she was currently incarcerated. When she was arrested for this latest felony conviction, she had had custody of the oldest child for a little over one year without any referrals. However, during that time period, she had committed a felony and done nothing to prepare for the child's care during her incarceration, save for telephone call to the child's grandmother as respondent-appellant was being taken to jail by the police. Five months later, when she gave birth while incarcerated to the youngest child involved in this proceeding, it was the prison social worker and not respondent-appellant who arranged for

a power of attorney to be given to the same grandmother regarding that child's care. This evidence clearly and convincingly established that respondent-appellant had failed in the past to provide proper care of the children and that there was no reasonable expectation that she would be able to provide proper care within a reasonable time given the children's young ages. It is not necessary for this Court to review the other bases for termination since only one statutory ground is needed to terminate a parent's rights under MCL 712A.19b(3). *In re Trejo*, 462 Mich 341, 344; 612 NW2d 407 (2007).

Finally, the trial court did not clearly err in its determination regarding the children's best interests. MCL 712A.19b(5); *Trejo, supra*, 462 Mich at 353. Respondent-appellant had not yet shown the ability to protect her children, place their needs above her own, and provide the stability and permanency that children as young as Gerald and Paradise especially required.

Affirmed.

/s/ Janet T. Neff

/s/ Henry William Saad

/s/ Richard A. Bandstra